

**GORDON SILVER**

MICHAEL N. FEDER

Nevada Bar No. 7332

Email: [mfeder@gordonsilver.com](mailto:mfeder@gordonsilver.com)

JUSTIN J. BUSTOS

Nevada Bar No. 10320

Email: [jbustos@gordonsilver.com](mailto:jbustos@gordonsilver.com)

ANJALI D. WEBSTER

Nevada Bar No. 12515

Email: [awebster@gordonsilver.com](mailto:awebster@gordonsilver.com)

100 W. Liberty Street, Suite 940

Reno, Nevada 89501

Tel: (775) 343-7500

Fax: (775) 786-0103

**ULMER & BERNE LLP**

FRANCES FLORIANO GOINS (*Admitted Pro Hac Vice*)

Email: [fgoins@ulmer.com](mailto:fgoins@ulmer.com)

1660 West 2<sup>nd</sup> Street, Suite 1100

Cleveland, OH 44113

Tel: (216) 583-7202

Fax: (216) 583-7203

*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHINA ENERGY CORPORATION, a Nevada  
corporation,

Plaintiff,

vs.

ALAN T. HILL, ELENA SAMMONS,  
MICHAEL SAMMONS, THOMAS S.  
VREDEVOOGD, TRUSTEE OF THE  
KIMBERLY J. VREDEVOOGD TRUST UA  
1007/2008, JUN HE, and RANDY DOCK  
FLOYD,

Defendants.

CASE NO. 3:13-cv-00562-MMD-VPC

**STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR TO DEPOSE  
THE DEPOSITORY TRUST COMPANY**

**(FIRST REQUEST)**

1 Plaintiff, China Energy Corporation (“CEC”), by and through its counsel of record,  
2 Gordon Silver and Ulmer & Berne LLP, and Defendants, in proper person and through their  
3 respective counsel as indicated below,<sup>1</sup> hereby stipulate and agree as follows:

4 1. The current discovery cut-off date for discovery with respect to the first claim for  
5 relief is November 19, 2014. (Dkt. No. 274).

6 2. In accordance with this deadline, CEC served the Depository Trust Company  
7 (“DTC”) with a Subpoena to Testify at a Deposition (Dkt. No. 282). The Subpoena set the date  
8 and time for the deposition as November 18, 2014. *Id.*

9 3. DTC’s counsel advised counsel for CEC that DTC cannot reasonably produce a  
10 witness in response to the subpoena until the week of December 8, 2014.

11 4. To accommodate DTC’s schedule, CEC and DTC agreed to schedule the  
12 deposition to occur no later than December 12, 2014.

13 5. Pursuant to CEC’s agreement with DTC, CEC has requested an extension of the  
14 discovery deadlines solely to permit the deposition to occur during the week of December 8,  
15 2014.

16 6. As such, the parties agree that the deposition shall occur no later than December  
17 12, 2014.

18 7. This is the first stipulation regarding an extension of time for CEC to depose  
19 DTC.

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27 <sup>1</sup> CEC received no response to its request for an extension from Thomas S. Vredevoogd, Trustee of the Kimberly J.  
28 Vredevoogd Trust UA 1007/2008. CEC received approval from Defendant Randy Dock Floyd in response to its  
request for an extension, but did not receive a response to the circulation of this stipulation.

1 DATED this 19<sup>th</sup> day of November, 2014.

DATED this \_\_ day of November, 2014.

2 GORDON SILVER

HOLLAND & HART

3  
4 By: /s/ Justin J. Bustos

By: \_\_\_\_\_

5 Michael N. Feder  
6 Justin J. Bustos  
7 Anjali D. Webster  
8 100 West Liberty Street  
9 Suite 940  
10 Reno, Nevada 89501

Richard L. Elmore  
5441 Kietzke Lane, 2<sup>nd</sup> Floor  
Reno, NV 89511

*Attorney for Thomas S. Vredevoogd, Trustee  
the Kimberly J. Vredevoogd Trust UA  
1007/2008*

*Attorneys for China Energy Corporation*

10 DATED this 19<sup>th</sup> day of November, 2014.

DATED this 19<sup>th</sup> day of November, 2014.

11  
12 By: /s/ Elena Sammons

By: /s/ Michael Sammons

13 Elena Sammons  
14 15706 Seekers St  
15 San Antonio, TX 78255

Michael Sammons  
15706 Seekers St  
San Antonio, TX 78255

*Defendant in Proper Person*

*Defendant in Proper Person*

16  
17 DATED this 19<sup>th</sup> day of November, 2014

DATED this 19<sup>th</sup> day of November, 2014.

18  
19 By: /s/ Edmund J. Gorman

RUMBERGER KIRK & CALDWELL

20 Edmund J. Gorman Jr.  
21 Attorney at Law, Ltd.  
22 Bar No. 11581  
23 335 W. First Street  
24 Reno, Nevada 89503

By: /s/ Meredith Lees

Peter J. Tepley, *admitted pro hac vice*  
Meredith Lees, *admitted pro hac vice*  
Rebecca Beers, *admitted pro hac vice*  
2204 Lakeshore Drive, Suite 125  
Birmingham, AL 35209

*Attorney for Defendant Alan T. Hill*

*Attorneys for COR Clearing, LLC*

1 DATED this 19<sup>th</sup> day of November, 2014

DATED this \_\_ day of November, 2014

2 By: /s/ Jun He

By: \_\_\_\_\_

3 Jun He  
4 231 Split Rock Rd  
5 The Woodlands, TX 77381

Randy Dock Floyd  
4000 Goff Road  
Aynor, SC 29551

6 *Defendant in Proper Person*

*Defendant in Proper Person*

**ORDER**

Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that the deposition of DTC shall occur no later than December 12, 2014.

IT IS SO ORDERED

DATED this \_\_\_\_\_ day of November, 2014.

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UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned, an employee of Gordon Silver, hereby certifies that she served a copy of **STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR TO DEPOSE THE DEPOSITORY TRUST COMPANY** via CM/ECF on November 19<sup>th</sup>, 2014 to the following individuals:

Richard L. Elmore, Esq.  
Holland & Hart  
5441 Kietzke Lane, 2<sup>nd</sup> Floor  
Reno, NV 89511  
*Attorney for Thomas S. Vredevoogd,  
Trustee of the Kimberly J. Vredevoogd  
Trust UA 1007/2008*

Michael Sammons  
15706 Seekers St  
San Antonio, TX 78255  
*Defendant in Proper Person*

Edmund J. Gorman Jr.  
Attorney at Law, Ltd.  
335 W. First Street  
Reno, Nevada 89503

Daniel T. Hayward, Esq.  
LAXALT & NOMURA  
9600 Gateway Drive  
Reno, Nevada 89521

Louis M. Bubala III  
Bret F. Meich  
ARMSTRONG TEASDALE  
50 W. Liberty Street, Suite 950  
Reno, NV 89501

Peter J. Tepley  
Meredith Lees  
Rebecca Beers  
RUMBERGER KIRK & CALDWELL  
2204 Lakeshore Drive, Suite 125  
Birmingham, AL 35209

And by U.S. Mail, postage prepaid, to the following individuals:

Elena Sammons  
15706 Seekers St  
San Antonio, TX 78255  
Defendant in Proper Person

Randy Dock Floyd  
4000 Goff Road  
Aynor, SC 29551  
*Defendant in Proper Person*

Jun He  
231 Split Rock Rd  
The Woodlands, TX 77381  
*Defendant in Proper Person*

/s/ Stephanie J. Glantz  
An employee of GORDON SILVER